



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-5171



September 4, 2003

LETTER OF DEFICIENCY #WSEB 03-248
CERTIFIED MAIL #7000 0600 0023 9933 2437

Adam Brothers
Equity Residential
Regional Maintenance Director
3 Edgewater Drive, Suite 201
Norwood, MA 02062

Subject: Manchester - Public Water System: Wellington Hill Apartments (EPA #1472010)

Dear Mr. Brothers:

The records of the Department of Environmental Services (DES) show that the subject water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more service connections, or 25 or more people, for 60 or more days per year. As such, the owner of the water system is required to comply with NH Administrative Rule Env-Ws 300, *New Hampshire Drinking Water Rules*.

PERMIT TO OPERATE

Pursuant to Env-Ws 303.03, the water system owner is required to obtain a "permit to operate" from DES. This permit must be renewed by July 1st of each year.

According to Env-Ws 303.03(e) the permit to operate for community water systems is calculated at \$10 per service connection or household equivalent, to a maximum of \$300.00. DES records show that the PWS has failed to pay for and obtain a permit to operate for state fiscal year 2004, which began July 1, 2003, and is, therefore, in violation of Env-Ws 303.03.

DES believes the permit to operate violation can be corrected by taking the following action:

1. **By September 19, 2003, complete the permit application, make any necessary corrections to the "Contact Information Report," and pay the outstanding permit to operate fee of \$300.00 for state fiscal year 2004.**

For your convenience, a new permit application and Contact Information Report are enclosed. **Please review both documents, make any necessary corrections, and sign the application.** Checks should be made payable to "Treasurer, State of New Hampshire." Please include your system's EPA number on the check. The application, Contact Information Report, and fee should be sent to: Department of Environmental Services, Attn: Linda Thompson, Water Supply Engineering Bureau, 6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095.

CERTIFIED OPERATOR

Pursuant to RSA 332-E and NH Administrative Rule Env-Ws 367, the water system is required to have a certified operator to operate and maintain the water system to protect public health.

DES records indicate that the Wellington Hill Apartments water system does not currently have a certified operator (Distribution Grade 1A) as required. If our records are in error and you presently have a certified operator, please notify this office in writing by September 19, 2003.

If you do not have a certified operator, DES believes the violation can be corrected by taking the following action(s):

- 2. By September 19, 2003, obtain a certified Distribution Grade 1A operator to operate and maintain the water system and notify DES in writing of the name and license number of the operator.**

Please contact Chip Mackey at (603) 271-2410 or by email at hmackey@des.state.nh.us, if you have any questions regarding the requirements of a certified operator.

In the event compliance is not achieved within the above listed period(s), DES may take further enforcement action. These actions include issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

If you have any questions concerning this letter, please contact Anne Bailey at (603) 271-0672 or by email at abailey@des.state.nh.us.

Sincerely,



Anthony P. Giunta, P.G., Administrator
Water Supply Engineering Bureau

Enclosure: Permit to Operate Application and Contact Information Report

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cc: Gretchen Rule, DES Legal Unit
Health Officer City of Manchester
EPA Region I
(all w/out enclosures)